

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

ROBERT M. REIGER,

Petitioner,

vs.

DWIGHT NEVENS, *et al.*,

Respondents.

3:12-cv-00218-LRH-VPC

**ORDER**

This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by a Nevada state prisoner. Petitioner has submitted the filing fee for this action.

This Court received the petition on April 19, 2012. (ECF No. 1). The Court granted petitioner's prior motion for an extension of time, presumably to amend the petition. (ECF No. 6). To date, petitioner has not filed an amended petition. As such, this action shall proceed on the original petition. (ECF No. 1). The petition shall now be filed and served on respondents.

A petition for federal habeas corpus should include all claims for relief of which petitioner is aware. If petitioner fails to include such a claim in his petition, he may be forever barred from seeking federal habeas relief upon that claim. *See* 28 U.S.C. §2254(b) (successive petitions).

**IT IS THEREFORE ORDERED** that the Clerk shall **ELECTRONICALLY SERVE** the petition (ECF No. 1, including all sub-parts) upon the respondents.

**IT IS FURTHER ORDERED** that respondents shall have **forty-five (45)** days from entry of this order within which to answer, or otherwise respond to, the petition. In their answer or other response, respondents shall address all claims presented in the petition. Respondents shall raise all

1 potential affirmative defenses in the initial responsive pleading, including lack of exhaustion and  
2 procedural default. **Successive motions to dismiss will not be entertained.** If an answer is filed,  
3 respondents shall comply with the requirements of Rule 5 of the Rules Governing Proceedings in the  
4 United States District Courts under 28 U.S.C. §2254. If an answer is filed, petitioner shall have  
5 **forty-five (45) days** from the date of service of the answer to file a reply.

6 **IT IS FURTHER ORDERED** that any state court record exhibits filed by respondents shall  
7 be filed with a separate index of exhibits identifying the exhibits by number or letter. The hard copy  
8 of all state court record exhibits shall be forwarded, for this case, to the staff attorneys in the **Reno**  
9 **Division of the Clerk of Court.**

10 **IT IS FURTHER ORDERED** that, henceforth, petitioner shall serve upon the Attorney  
11 General of the State of Nevada a copy of every pleading, motion, or other document he submits for  
12 consideration by the Court. Petitioner shall include with the original paper submitted for filing a  
13 certificate stating the date that a true and correct copy of the document was mailed to the Attorney  
14 General. The Court may disregard any paper that does not include a certificate of service. After  
15 respondents appear in this action, petitioner shall make such service upon the particular Deputy  
16 Attorney General assigned to the case.

17 **IT IS FURTHER ORDERED** that petitioner's motion (ECF No. 9) to respond to U.S.  
18 Attorney's pleading is **DENIED**, as no such filing is found in the Court's docket.

19 Dated this 25th day of September, 2012.



22 LARRY R. HICKS  
23 UNITED STATES DISTRICT JUDGE  
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